



MURIEL GOODE-TRUFANT
Acting Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007-2601

Yi Liu, Esq.
Assistant Corporation Counsel
Labor and Employment Law Division
Telephone: (212) 356-2533
Cell No.: (332) 323-0668

September 3, 2024

Via CM/ECF

Honorable Judge LaShann DeArcy Hall
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Jean Jean & Kathleen Comack v. The Depart. of Ed. of The City of N.Y.,
No.: 24-CV-02264 (LB)

Dear Judge Hall,

I am an Assistant Corporation Counsel in the office of Muriel Goode-Trufant, Acting Corporation Counsel of the City of New York representing Defendant, the Department of Education of the City of New York ("DOE"), in the above referenced action. I am writing to respectfully request an extension to September 30, 2024, for Defendant to file its motion to dismiss.

On July 9, 2024, Defendant filed a pre-motion letter seeking a pre-motion conference. On July 17, 2024, Plaintiffs filed a letter seeking a motion schedule and denial of Defendant's request for a pre-motion conference. On August 2, 2024, the Court denied Defendant's request for a pre-motion conference and set a motion schedule for Defendant to serve its motion to dismiss by September 3, 2024, Plaintiffs to serve their opposition by October 1, 2024, and Defendant to serve their reply by October 15, 2024.

I respectfully request Defendant's deadline to serve its motion to dismiss be extended to September 30, 2024, and the motion schedule be revised accordingly so that the deadline for Plaintiffs to serve their opposition be extended to October 30, 2024, and Defendant's deadline to serve its reply be extended November 15, 2024. The revised motion schedule would not affect any other scheduled dates.

This is Defendant's first request to extend the time to file its motion to dismiss per the briefing schedule set by the Court. Today, I contacted Plaintiffs, via their phone numbers and email addresses, to request their consent and/or position on Defendant's request. Plaintiffs have not responded.

The requested extension is necessary because I was assigned a case in July wherein discovery had to be completed in August. This required reviewing approximately 5,700 documents and producing them for the Plaintiff. I also had to prepare multiple filings that were due last week.

For the reasons set forth above, I respectfully request a revised motion schedule and extension of time for Defendant to file its motion to dismiss.

Thank you for your time and consideration on this matter.

Respectfully submitted,



Yi Liu

Assistant Corporation Counsel
yil@law.nyc.gov

Cc: via e-mail and first-class mail
Jean Jean
53 Periwinkle Road
Levittown, NY 11756
jeancommack@gmail.com

Kathleen Comack
17 Harbor Road
Oyster Bay, NY 11771
jeancommack@gmail.com